Sectt. II-27—50,006—4-1-52.

Home (1952) Department.

Passed

Ms. SERIES.

G.O. NO. 4583

14

Dated 22.12.1952

[Despatch Abstract.]

COURTS - Civil - South Kanara District - Temporary post of I Additional Sub Judge, Mangalore and Staff - Retention - Sanctioned.

227774/52

R.O.C.No.7935/52.D.2.

From

Sri V.T.Kandaswamy, Attorney-at-law,
Deputy Registrar, Appellate Side,
High Court, Madras.

To

The Secretary to Government,
Home Department,Madras(with enclosure).

Dated 3rd December 1952.

Sir,

Sub: Courts--Civil--South Kanara District--Temporary First Additional Subordinate Judge,Mangalore--Continuance - beyond 31-12-1952--Recommended.

Ref: G.O.Ms.No.4644 Home dated 3-12-1951.

I am to forward for orders of Government a copy of letter No. A.85/52 dated 17-11-1952 from the District Judge, South Kanara on the subject cited, together with its enclosures. In view of the heavy work in the court, a temporary Second Additional Sub Judge has already been sanctioned for the Sub Court,Mangalore upto the summer recess 1953, in G.O.Ms.No.3015, Home, dated 18-8-1952 and that officer has taken charge on 25-10-1952. The arrears in the District Court and the Sub Court on 1-9-1951 on which basis the appointment of the Second Additional Officer was recommended consisted of:

443 Original Suits(157 old) and

632 appeals(327 old)

The arrears on 1-11-1952 consisted Of:

429 Original Suits(211 old) and

685 appeals(437 old)

It will be seen from the above figures that while the total number of suits pending has decreased by 14, which is negligible, the number of old suits and the number of appeals - both total and old - have increased. In the circumstances the Hon'ble the Judges recommend that the First Additional Sub Judge and staff may be continued for another year from 1-1-1953.

Necessary provision has been made in the budget for the current year and in the draft budget for the next year.

227774

V.T.Kandaswamy 4.12.52
DEPUTY REGISTRAR.

K.V.

3

Copy of letter No.A.85/52 dated 17-11-1952 from the District Judge of South Kanara, to the Registrar, High Court,Madras.

Sub: Courts--Civil--First Additional Subordinate Judge,Managalore-Continuance of the term-Report-Forwarding of.

Ref: High Court R.O.C.No.7935/52.D.2. dated 31-10-1952.
2. G.O.Ms.No.4644 Home dated 3-12-1951.

When the Additional Sub Judge began to function in June 1943, there were 93 original suits pending in the Sub Court, of which 20 were old and the number of Civil appeals pending was 439 in the District Court and 574 in the Sub Court making a total of 1013.

2. The pendency of Civil appeals on 31-10-1952 was 346 in the District Court of which 225 were more than 6 months old and in the Sub Court it was 339 of which 212 were old, thus making a total of 685 of which 437 were old. The pendency of original suits in the Sub Court on that date was 422 of which 205 were more than a year old. The institution in 1951 was 305/and this year upto 31-10-52 it was 230. In recent years the institution of original suits in the Sub Court has considerably increased and consequently, even with two officers functioning in that court, the pendency has shot up to 422. The average disposal by a single Sub Judge during the past 12 months has been 14 per working month and it will take at least 10 working months for 3 Sub Judges to liquidate the present arrears alone irrespective of future institutions. The average disposal of old suits by a single Sub Judge has been 8 per working month during the past 12 months and it will take 9 working months for 3 Sub Judges to dispose of the old suits pending at present, irrespectiveof suits becoming old in future. A good number of suits are suits for partition under the Madras Aliyasanthana Act combined with various other reliefs incidental to such actions. The real trial commences in these suits only after the preliminary decree i.e. after the disposal of suits for statistical purposes. The proposed enhancement of the pecuniary jurisddction of the District Munsif's Court may reduce the filing in the Sub Court by about 1/3; but even then the pendency is not likely to come down for some more years. Then there are the civil appeals and their total pendency in the District Court and Sub Court together, as already stated, is 685 out of which 437 are old. Other miscellaneous work in the Sub Court is also considerable. Having

regard to the state of the file referred to above, I request that the term of the I Additional Sub Judge, Mangalore may be extended by at least one year from 31-12-1952, if for any reason it cannot be done for a longer period.

(3) A statement in duplicate showing the institution, disposals and pendency in the District Court and the Sub Court for 1951 and upto 31-10-52 is furnished.

(Sd.) P.T.Raman Nayar,
District Judge.

(True Copy).

Sub-Assistant Registrar, A.D.,

K.V.

Statement showing the institutions, disposals and arrears in the District Court of South Kanara, Mangalore for the year 1951 and the current year 1952 up to 31-10-1952.

Names of presiding officers	Period presided over.
1951.	
Sri C.Krishna Moose, B.A., B.L., District Judge	1-1-1951 to 29-6-1951
Sri P.T.Raman Nayar, I.C.S. District Judge	30-6-1951 to 31-12-1951.
1952 (up to 31-10-1952)	
Sri P.T.Raman Nayar, I.C.S., District Judge.	1-1-1952 to 31-10-1952.

Nature of proceedings.		Instituted.	Disposed of		Pending	
			After full trial	Total	Total	Old cases.
Civil appeals.						
1951.						
Sri C.Krishna Moose.			27	32		
Sri P.T.Raman Nayar			72	77	272	121
	Total	568	99	109	272	121
1952 (Up to 31-10-1952)						
Sri P.T.Raman Nayar		419	126	139	346	225
Civil Miscellaneous appeals.						
1951						
Sri C.Krishna Moose			10	12		
Sri P.T.Raman Nayar			19	26	13	5
	Total	32	29	38	13	5
1952.						
Sri P.T.Raman Nayar		27	23	27	13	6
Original Suits.						
1951.						
Sri C.Krishna Moose			4	4		
Sri P.T.Raman Nayar			1	5	7	1
	Total	8	5	9	7	1

1	2	3	4	5	6
1952.					
Sri P.T.Raman Nayar		4	4	7	6
Original Petitions.					
1951.					
Sri C.Krishna Moose		19	54		
Sri P.T.Raman Nayar		21	133	35	10
Total	163	40	187	35	10
1952.					
Sri P.T.Raman Nayar	73	75	86	31	17
Sessions Cases.					
1951.					
Sri C.Krishna Moose		4	4		
Sri P.T.Raman Nayar		19	19	8	-
Total	31	23	23	8	-
1952.					
Sri P.T.Raman Nayar	26*	27	27	3	2

This includes one case transferred to Assistant Additional Sessions Court Mangalore, in the first instance, but subsequently withdrawn to this Court.

Criminal appeals.

1951.					
Sri C.Krishna Moose		32	36*		
Sri P.T.Raman Nayar		61	61	12	1
Total	100	93	97	12	1
1952.					
Sri P.T.Raman Nayar	85	97	97	--	--

* * Out of these, 4 were transferred to the Court of Sessions, Tellicherry.

Criminal Revision Petitions

1951.					
Sri C.Krishna Moose		2	2		
Sri P.T.Raman Nayar		8	8	1	1
Total	10	10	10	1	1

1	2	3	4	5	6
1952 Sri P.T.Raman Nayar	8	8	8	1	

District Court of South Kanara.
Mangalore 3 dated 17-11-1952.

P.R.
District Judge.

Statement showing the institutions, disposals and arrears in the Subordinate Judge's Court of South Kanara, Mangalore, for the year 1951 and the current year 1952 upto 31-10-1952.

Names of presiding officers.	Period presided over.
1951.	
Sri D.Rangayya, B.A., B.L., Principal Subordinate Judge	1-1-1951 to 7-6-1951
Sri P.A.Nazareth, B.A., M.L., Principal Subordinate Judge.	8-6-1951 to 13-8-1951
Sri T.H.M.Sadasivayya, M.A., B.L., Principal Subordinate Judge.	14-8-1951 to 6-12-1951
Sri T.H.M.Sadasivayya, M.A., B.L., Additional Subordinate Judge.	1-1-1951 to 13-8-1951
Sri J.M.Sequeira, M.A., M.L., Additional Subordinate Judge.	21-8-1951 to 31-12-1951
1952 (upto 31-10-1952).	
Sri J.M.Sequeira, M.A., M.L., Principal Subordinate Judge	1-1-1952 to 24-7-1952
Sri G.Nagi Reddi, B.A., B.L., Principal Sub Judge.	25-7-1952 to 31-10-1952
Sri M.Ramamurthi, B.A., B.L., Additional Subordinate Judge.	1-1-1952 to 15-7-1952
Sri J.M.Sequeira, M.A., M.L., Additional Sub Judge.	25-7-1952 to 31-10-1952
Sri D.Noronha, B.A., B.L., II Additional Subordinate Judge.	25-10-1952 to 31-10-1952.

Nature of Proceedings.	Instituted.	Disposed of		Pending	
		After full trial.	Total	Total	Old cases.
1951.					
Original Suits.					
Sri D.Rangayya, Principal Sub Judge		20	39		
Sri P.A.Nazareth Do.		7	22		
Sri T.H.M.Sadashivayya, Prl. Sub Judge.		27	58		
Do Addl. Sub Judge.		44	83		
Sri J.M.Sequeira, Addl. Sub Judge		21	47		
Total	305	119	249	432	190

1	2	3	4	5	6
1952.					
Sri J.M.Sequeira, Prl. Sub Judge.		51	80		
Sri G.Nagi Reddi Do.		9	24		
Sri M.Kamamurthi, Addl. Sub Judge.		49	92		
Sri J.M.Sequeira, Addl. Sub Judge		40	58		
Sri D.Moronha, II Addl. Sub Judge		-	-		
Total	230	149	254	422	205
Small Cause Suits.					
1951.					
Sri T.H.M.Sadasivayya, Addl. Sub Judge.		7	70		
Sri J.M.Sequeira, Additional Sub Judge.		11	59		
Total	132	18	129	32	12
1952.					
Sri J.M.Sequeira, Prl. Sub Judge.		-	6		
Sri M.Kamamurthi Addl. Sub Judge		9	60 (50)		
Sri J.M.Sequeira, Addl. Sub Judge		13	70		
Total	131	22	126	39	3
Civil Appeals (By transfer)					
1951.					
Sri D.Rangayya, Prl. Sub Judge		36	36		
Sri P.A.Nazareth Do		24	24		
Sri T.H.M.Sadasivayya Do		38	42		
Do. Addl. Sub Judge		65	73		
Sri J.M.Sequeira, Addl. Sub Judge		38	43		
Total	505	201	218	407	244

1	2	3	4	5	6
1952.					
Sri J.M.Sequeira,Prl.Sub Judge		101	101		
Sri G.Nagi Reddi Prl. Sub Judge		12	13		
Sri M.Ramamurthi,Addl.Sub Judge		105	106		
Sri J.M.Sequeira,Addl.Sub Judge		60	60		
Sri D.Moronha, II Addl. Sub Judge		--	--		
Total	217	278	280	339	212.
Civil Miscellaneous Appeals.					
1951.					
Sri D.Rangayya, Prl. Sub Judge		4	5		
Sri P.A.Nazareth Prl. Sub. Judge		10	11		
Sri T.H.M.Sadashivayya,Prl.Sub Judge		18	22		
Do. Addl. Sub Judge		30	30		
Sri J.M.Sequeira,Addl. Sub Judge		11	12		
Total	88*	73	80	26	11
* This includes one received by transfer.					
1952.					
Sri J.M.Sequeira,Prl.Sub Judge		37	38		
Sri G.Nagi Reddi,Prl.Sub Judge		23	25		
Total	54	60	63	18	14
Execution Petitions (Regular).					
1951.					
Sri D.Rangayya,Prl. Sub Judge		--	136		
Sri P.A.Nazareth, Prl. Sub Judge		--	82		
Sri T.H.M.Sadasivayya,Prl.Sub Judge		--	100		
Sri T.H.M.Sadashivayya,Addl.Sub Judge		--	1		
Total	324	--	319	134	82
1952.					
Sri J.M.Sequeira,Prl.Sub Judge		--	187		
Sri G.Nagi Reddi,Prl. Sub Judge		--	78		
Total	281	--	265	150	77

1	2	3	4	5	6
Execution petitions (Small)					
1951					
Sri T.H.M.Sadasivayya,Addl. Subordinate Judge	-	-	47		
Sri J.M.Sequeira,Addl. Sub Judge	-	-	32		
Total	76	-	79	9	3
1952					
Sri J.M.Sequeira,Principal Sub Judge		-	2		
Sri M.Ramamurthi,Addl.Sub Judge		-	29		
Sri J.M.Sequeira,Addl.Sub Judge		-	34		
Total	68	-	65	14	2
Original Petitions (relating to L.A.Cs.					
1951.					
Sri D.Rangayya,Prl.Sub Judge,		4	7		
Sri P.A.Nazareth,Prl. Sub Judge		1	12		
Sri T.H.M.Sadasivayya,Prl.Sub Judge		8	19		
Total	59	13	38	37	21
1952.					
Sri J.M.Sequeira,Prl. Sub Judge		10	36		
Sri G.Nagi Reddi,Prl.Sub Judge		-	8		
Total	65	10	44	59	14
Original Petitions (relating to other matters)					
1951.					
Sri T.H.M.Sadasivayya,Prl. Sub Judge		-	2		
Do. Addl.Sub Judge		25	48		
Sri J.M.Sequeira, Addl. Sub Judge		6	20		
Total	47	31	70	22	8
1952.					
Sri J.M.Sequeira,Prl.Sub Judge		2	6		
Sri G.Nagi Reddi,Prl.Sub Judge		-	-		
Sri M.Ramamurthi,Addl.Sub Judge		5	13		
Sri J.M.Sequeira Adl. Sub Judge		8	15		
Total	33*	15	34	14	6

* 2 of these are Election petitions.

1	2	3	4	5	6
Insolvency Petitions.					
1951					
Sri T.H.M.Sadasivayya,Addl. Sub Judge		2	4		
Sri J.M.Sequeira,Addl.Sub Judge.		8	9		
	Total	13	10	13	3	2
1952.					
Sri M.Ramamurthi,Addl.Sub Judge		1	1		
Sri J.M.Sequeira,Addl.Sub Judge		2	2		
	Total	10	3	3	11	3
Sessions Cases.					
1951.					
Sri D.Rangayya		1	2		
Sri P.A.Nazareth		1	1		
Sri T.H.M.Sadasivayya		8	8		
Sri J.M.Sequeira		5	5	2	
	Total	16	15	16	2	
1952.					
Sri J.M.Sequeira		2	12		
Sri M.Ramamurthi		5	5		
Sri G.Nagi Reddi		4	5*		
	Total	20	21	22	--	--

* This includes 1 case which was later transferred to the Sessions Court,Tellicherry, under Orders of the High Court.

** includes one withdrawn to the Sessions Court.

NOTE:- The Post of I Additional Sub Judge was vacant, from 14-8-1951 to 20-8-1951 and 16-7-1952 to 24-7-1952 ~~(both days inclusive) during 1951 and 1952 respectively)~~ and post of the Principal Sub-Judge was vacant from 7-12-1951 to 31-12-19

District Court,South Kanara.
Mangalore dated 12-11-1952.

District Judge.

(Cyclostyled 22/7/46 (5/52)) Home (Ds.J)

G.O. Ms. No. 4583 dated 22.12.52.

Courts - Civil - South Kanara dist. - Temporary post of I Addl. Sub Judge, Mangalore and staff - Retention - Sanctioned.

Read:-

G.O. Ms. No. 4644, Home, dated 3.12.51

From the High Court Roc No. 7935-52 D-2 dated 3.12.52.

ORDER:-

Govt. sanction the retention upto the 31st December 1953 (or till the need ceases whichever is earlier) of the first Addl. Sub Judge, Mangalore together with his staff last sanctioned in G.O. Ms. No. 4644, Home, dated 3.12.51.

2. The expdr. should be debited to the relevant sub heads under "21-Admn. of Justice - Voted".

By order etc.,

11.12.52

To
The Regr. High Court, Madras
The Dt. Judge, South Kanara, Mangalore
The A.G. Madras (Two)
The Fin. Deptt.

NOTE:- The existing sanction for the retention of the I Addl. Sub Judge, Mangalore and his staff will expire on 31-12-52. For the reasons stated in para 2 of his letter (copy at pp 3-4 C), the Dt. Judge, South Kanara has requested that the Sub Judge and his staff may be retained for a further period of one year from 1-1-53. The Judges of the High Court have recommended

E.I

(227774/52)

the proposal. The Govt. have recently sanctioned a second Addl. Sub Judge to the Sub Court at Mangalore in Govt. Ms.No 3015, Home, dt 18.8.52 and the officer has taken charge of the post on 25.10.52. The arrears in the Dt. Court and the Sub Court on 1-9-51 on which basis the appt. of the II Addl. Sub Judge was recommended by the High Court consisted of 443 original Suits (157 old) and 632 Appeals (327 old). The arrears on 1-11-52 consisted of 429 O.S (211 old) and 665 Appeals (437 old). The number of old original Suits and the number of Appeals - both total and old - have increased. The fall in the total number of O.S. is negligible. In the above circumstances, for orders whether the High Court's recommendation to retain the first Addl Sub Judge and his staff for a further period of one year from 1-1-53 may be agreed to. If so, the draft order on pl note is for approval. Fin. may see for acceptance.

The High Court has stated that adequate provision has been made in the budget for the current year also in the draft budget for 1953-54 which is now under preparation.

10/12/52 11/12/52

11.12.1952

Fin

23.12.52

Home (S)

Finance (E.I).

The proposal at 'A' above may be agreed to, and the draft order overleaf ~~xx~~ accepted.

13.12.52

15/12/52

Home

PTO

227774 Cls I (2)

23.12.52 11.12.52

SECRETARY TO GOVT. NATIONAL DEPUTY 993095 11 DEC 1952 E I FINANCE DEPARTMENT

Min.No 93095-E.I-1

15-12-52

(Cmo. 227774/52)

6
19/12

Home (Courts) I

The draft order on p1 ante sanctioning the retention of the I Addl. Sub-Judge, Mangalore and his Staff upto 31.12.53 is in accordance with the recommendation of the High Court and has been accepted by Finance. It may be approved.

p1 q
p2 ante

17/12/52 17.12.52

18.12.1952

A/D S II

1.12.52
M (Law)

Draft order on page 1 ante may be approved.

18/12/52

K.O. Kuriakose M/(Law)
19-12-52

(Issued as GO Ms No. 4583, Home, dt 22.12.52
Sd/- Illegible

SECRETARY TO GOVERNMENT
22 DEC 1952
HOME DEPARTMENT

ADDITIONAL DEPUTY SECRETARY TO GOVERNMENT
22 DEC 1952
HOME DEPARTMENT